

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Evan Tims	Team: Squad #5	CCRB Case #: 202100564	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Thursday, 01/14/2021 12:00 AM	Location of Incident: Lexington Avenue and Nostrand Avenue	Precinct: 79	18 Mo. SOL 7/14/2022	EO SOL 7/14/2022	
Date/Time CV Reported Fri, 01/15/2021 4:00 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 01/25/2021 12:58 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Michael Defilippo	08566	956575	079 PCT
2. POM Willmer Hernandez	05901	944650	079 PCT
3. Officers			079 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Donna Gandolfo	00722	955940	079 PCT
2. POM Anza Kaleem	05505	966653	079 PCT
3. POM Jose Jimenez	16257	966645	079 PCT
4. POM George Rojas	06812	966813	079 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Michael Defilippo	Force: Police Officer Michael Defilippo used physical force against § 87(2)(b)	
B.POM Willmer Hernandez	Force: Police Officer Willmer Hernandez used physical force against § 87(2)(b)	
C. Officers	Abuse: Officers forcibly removed § 87(2)(b) to the hospital.	

Truncation Case Summary

Contact complainant/victim IAs: 4

Contact: Comp/Victim § 87(2)(b)

Created by: Evan Tims on 02/01/2021

Remarks Call 1 § 87(2)(b) at § 87(2)(b) Reached automated recording stating that he could not be reached at this time.

Contact: Comp/Victim § 87(2)(b)

Created by: Evan Tims on 02/04/2021

Remarks Call 2 § 87(2)(b) at § 87(2)(b). No response; personalized voicemail identified number as belonging to § 87(2)(b) Left voicemail requesting callback.

Contact: Comp/Victim § 87(2)(b)

Created by: Evan Tims on 02/18/2021

Remarks Call 3 § 87(2)(b) at § 87(2)(b). Male respondent answered and stated he would call back in fifteen minutes.

Contact: Comp/Victim § 87(2)(b)

Created by: Evan Tims on 03/02/2021

Remarks Call 3 § 87(2)(b) at § 87(2)(b). § 87(2)(b) withdrew his complaint.

Truncation Report Remarks:

On January 15, 2021, § 87(2)(b) filed this complaint by calling 911. He hung up before being connected to IAB, but his call generated original log number 20-01028. The CCRB received the complaint on January 25, 2021.

The investigation did not obtain video footage.

On March 2, 2021, the undersigned reached § 87(2)(b) by phone. § 87(2)(b) stated that he wished to withdraw his complaint because he no longer wanted to follow through, and that he was not pressured to do so by anyone at the CCRB or NYPD. § 87(2)(b) confirmed he was withdrawing of his own free will. The recording of this conversation can be found in IA #13. IM Giansante reviewed this recording and confirmed that it adhered to agency standards. § 87(2)(g)

§ 87(2)(b)

Squad No.: 5

Investigator:	<u>DG</u>	<u>IM Giansante for Inv. Tims</u>	<u>March 6, 2021</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u><i>Daniel Giansante</i></u>	<u>IM Daniel Giansante</u>	<u>March 6, 2021</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date